



Stratfield Mortimer Parish Council Report

Date 28.08.2025

Committee- Finance and General Purposes

Delegated Powers Report- Appendix 25-035 2

1 Why This Matters

This guide explains the differences between Council bodies, what powers each group can (and cannot) have, and the rules they must follow. It is important to understand the differences to avoid decisions being unlawful.

2 Committees

- **Legal basis:** s.101 & s.102 Local Government Act 1972.
- **Appointed by:** Full Council.
- **Membership:** Must be mainly councillors (finance committees = councillors only).
- **Powers:** May have delegated powers if agreed by full council.
- **Rules:**
 - Must follow statutory meeting rules (agendas, 3 clear days' notice, open to the public, minutes).
 - Meetings must be in a **public building** (e.g. council office, village hall). **Not in pubs, cafes, or private houses.**
- **Example:** Planning Committee, Finance Committee.

3 Sub-Committees

- **Legal basis:** Same as above; appointed by a parent committee (with full council approval).
- **Membership:** Mainly councillors; finance sub-committees = councillors only.
- **Powers:** May have delegated powers from their parent committee.
- **Rules:** Same statutory rules as committees: agendas, public notice, open meetings, minutes.
- **Venue:** Must also meet in suitable public buildings, **not pubs, cafes, or private houses.**
- **Example:** Personnel Sub-Committee.

4 Steering Groups

- **Legal status:** Not defined in law. Advisory only.

- **Membership:** Can include councillors, residents, and experts.
- **Powers:** Cannot have delegated powers – advisory only. Must report back to full council or a committee.
- **Rules:** Not required to follow statutory meeting rules. Good practice = keep notes.
- **Venue:** Should meet in a **neutral public space** (e.g. hall/office). Meeting in pubs/cafes risks perceived informality, exclusion of residents, and transparency concerns – best avoided.
- **Example:** Neighbourhood Plan Steering Group.

5 Working Parties

- **Legal status:** Informal, advisory only.
- **Membership:** Anyone.
- **Powers:** Cannot have delegated powers – advisory only.
- **Rules:** Not required to follow statutory meeting rules, though notes are good practice.
- **Venue:** Should meet in neutral, accessible places. Pubs/cafes not recommended for the same reasons as steering groups.
- **Example:** Playground Refurbishment Working Party.

6 At a Glance: Who Can Do What

Body	Legal?	Delegated powers?	Public meeting rules apply?	Venue rules
Committee	✓ Yes	✓ Yes (if council delegates)	✓ Yes	Public building only (not pubs)
Sub-Committee	✓ Yes	✓ Yes (if committee delegates)	✓ Yes	Public building only (not pubs)
Steering Group	✗ Informal only	✗ No – advisory only	✗ No (but good practice to keep notes)	Public space recommended, not pubs
Working Party	✗ Informal only	✗ No – advisory only	✗ No (but good practice to keep notes)	Public space recommended, not pubs

7 Recommendations

- 1 **Committees & Sub-Committees:** Ensure Terms of Reference clearly set out delegated powers. All meetings must follow legal rules and be held in appropriate public buildings.
- 2 **Steering Groups & Working Parties:** Use only for advisory purposes. Meetings should be in neutral, public spaces to maintain transparency and inclusivity. They must not be given decision-making powers.
- 3 **Review current groups:** Where steering groups have been given delegated powers, these should be corrected to comply with legislation.

Miss Danielle Davis

22/08/2025